

## **REMARKS/ARGUMENTS**

### REMARKS

Claims 1-53 are pending in this application. Claims 1, 3, 14, 17, 32, 36, 40 and 41 are currently amended. Claims 46-53 are new. It is respectfully submitted that support for the amendments and newly added claims is found in the specification, drawings, abstract and claims, as original filed, and that no new matter has been added. In particular, support for the amendments to claims 1, 32 and 36 is found at least at page 19, line 16-page 20, line 3, page 16, line 20-page 17, line 2, and page 17, line 16-page 18, line 2; and support for the amendments to claim 17 and for newly added claim 45 is found at least at page 13, line 13-15, page 15, lines 2-8, page 15, line 18-page 16, line 19, page 17, lines 9-13, page 17, line 16-page 18, line 11 and page 19. lines 16-25.

### ***CLAIM REJECTIONS UNDER 35 U.S.C. 102***

Claims 1-6, 8-12, 14-22, and 24-44 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. patent no. 6,078,322 to Siminoff et al. Each of claims 1-6, 8-12, 14-22 and 24-44, as now amended, is allowable for the reasons that follow.

Claim 1, as now amended, recites a method including ***generating***, with a client device, a particular form of a client-resident ***intermediate user interface (UI)*** for a server-based and client-side controlled application according to a UI format determined by a UI server, including ***supplementing a skeletal UI*** stored in a first memory location ***with one or more icons, labels or menu items***, or combinations thereof, stored in a second memory location. As understood, Siminoff et al. do not disclose this feature. Instead, Siminoff et al. disclose a Universal Client device that is embedded as an Applet tag in a web page that is downloaded from a server host to a client device. The Universal Client of Siminoff et al. is apparently entirely embedded within the web page and entirely downloaded to a single memory location at the client device, where it then

initializes and runs. Therefore, Claim 1 is allowable. Claims 2-6, 8-12 and 14-16 are allowable as being dependent from amended Claim 1.

Claim 32, as now amended, is allowable for the same reasons as amended Claim 1. Claims 33-35 are allowable as being dependent from amended claim 32.

Claim 17, as now amended, recites a method that includes populating a UI form with a number of source data items. The number of source data items comprises a smaller subset than a total number of source data items related to a server-based application. Further subsets of the total number of source data items are downloadable based upon execution of one or more client-side controls. Advantageously, failures that conventionally occur during downloads of long files are prevented. Formatting errors from client device conversions are also prevented. This is because a smaller amount of data is downloaded, stored and displayed at a time.

In one example, a subset of a total list of emails may be initially downloaded in accordance with an embodiment of Applicants' invention as set forth at amended Claim 17. When the user scrolls to the bottom list, another subset of the total list of emails is downloaded for scrolling, etc. The email list is a set of data items viewable within the UI that represent objects that they correspond to, e.g., that may be retrieved upon execution of them by clicking or hitting the return button.

As understood, Siminoff et al. do not disclose this feature. The Examiner has cited column 12, lines 1-13 and 23-30 in rejecting Applicant's claim 24. The Examiner has also cited col. 16, lines 40-49, col. 14, lines 44-56, col. 9, lines 33-50 and col. 10, lines 23-30 in rejecting claim 9. However, none of these descriptions of Siminoff et al. relates to the downloading of subsets of **data items**, e.g., a list of emails of an exemplary embodiment illustrated at Figures 3 and 4 and page 15, line 13-page 17, line 2 of Applicant's specification. As understood, the teaching by Siminoff et al. at column 12, lines 23-39 is a generalized description of a client system that has an entire UI list of items, but not the objects associated with the items themselves. Upon execution, e.g., by clicking, of an item, the object is retrieved from the server using scripted communications. This is entirely different from Applicant's invention.

There is no teaching of Siminoff et al. wherein a subset of an entire list of emails, or more generally a subset of a total number of data items, would be originally downloaded, and then further subsets are downloaded as UI events dictate. Instead, the entire list or number of data items would be downloaded all at once in accordance with the teachings of Siminoff et al. The teachings of the recited sections of Siminoff et al., also including the flow chart of Figure 4 and 5, describe a technique wherein an email is clicked, or one of the data items in a list is clicked, or otherwise executed such as by highlighting and depressing the return button. In that event (see step 5 of Figure 5 of Siminoff et al.), the data item or object associated with it is retrieved using scripted communications between the client device and a host server. For example, the body text of the listed email that was clicked may be retrieved from the server host. There is no teaching by Siminoff et al. that subsets of a total number of data items represented in a UI are downloaded at different times, or even that the data required to instantiate an object associated with a data item are downloaded other than all at once.

In view of the above, Claim 17 is allowable. Claims 18-22 and 24-31 are allowable as being dependent from amended Claim 17. Claim 36 is allowable for the same reasons as amended Claim 17. Claims 37-44 are allowable as being dependent from amended claim 36.

### ***CLAIM REJECTIONS UNDER 35 U.S.C. 103***

Claims 7 and 23 are rejected under 35 USC 103(a) as being unpatentable over Siminoff et al. in view of U.S. patent no. 6,327,608 to Dillingham. Neither Siminoff et al. nor Dillingham, nor any combination thereof teaches or suggests all of the elements of either of claims 7 or 23. Claims 7 and 23 are allowable as being dependent from amended Claims 1 and 17, respectively, for the reasons set forth above.

Claim 13 is rejected under 35 USC 103(a) as being unpatentable over Siminoff et al. in view of Official Notice. Neither Siminoff et al. nor the Examiner's Official Notice, nor any combination thereof, teaches or suggests all of the elements of claim 13. Claim

13 is allowable as being dependent from amended Claim 1 for the reasons set forth above.

**NEWLY ADDED CLAIMS**

Newly added claim 45 is allowable for the same reasons as amended claim 17. Claims 46-53 are allowable as being dependent from claim 45.


For the reasons set forth above, it is respectfully submitted that the application is now in condition for allowance. The Examiner's reconsideration and further examination are respectfully requested.

A check in the amount of \$124 is enclosed for payment of the new claims. The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896. A duplicate page is enclosed.

Respectfully submitted,

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